

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Teachers4Action et al,	:	
	:	
Plaintiffs	:	CIVIL ACTION #
	:	08-CV-548 (VM)
- vs -	:	
	:	
Michael Bloomberg, et al,	:	
	:	
Defendants.	:	
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NOTICE OF FILING OF ERRATA

Edward D. Fagan, hereby declares and says:

1. I am Plaintiffs' counsel of record in the above referenced matter.
2. Attached are errata sheet to pages 2 and 5 of the Amended Complaint dated February 22, 2008 to correct the following harmless typographical errors or descriptions:
 - a. Page 2, lines 5, 6 & 9 – reads United Federation of Teachers
(rather than United Federation of DOE staff).
 - b. Page 5, par. 13 – reads President of the United Federation of Teachers
(rather than President of United Federation of DOE staff).
 - c. Page 5, par. 14 – reads United Federation of Teachers
(rather than United Federation of DOE staff).

Dated: May 1, 2008


Edward D. Fagan

CERTIFICATE OF SERVICE

Edward D. Fagan, hereby declares and says:

The foregoing Notice of Errata was filed electronically with the Clerk of the Court and courtesy hard copies are being provided to the Hon. Victor Marrero USCJ and Hon. Andrew J. Peck, USMJ.

Copies are also being provided electronically to all counsel of record and/or named parties whose appearances have not been entered as of May 1, 2008.

Dated: May 1, 2008


Edward D. Fagan

Department of Education; :
 New York City Department of Education; :
 Randi Weingarten; :
 Individually and as President of :
 United Federation of Teachers; :
 United Federation of Teachers; :
 Betsy Combier, :
 Individually and as agent / representative :
 Of United Federation of Teachers, :
 Defendants. :
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INTRODUCTION

This action is predicated upon a wrongful course of action that was designed to unlawfully reduce the budget for New York City Public Schools by reducing the number of tenured teachers, including Plaintiffs. To accomplish that goal, Defendants individually and/or jointly (i) violated Plaintiffs' Speech, Association, Due Process, Equal Protections— 1st, 5th & 14th Amendments and Other Constitutionally Protected Rights & Freedoms; (ii) harassed plaintiffs and created a hostile work environment ; (iii) discriminated against Plaintiffs because of age; (iv) retaliated against Plaintiffs when they attempted to speak out to report these violations; (v) constructively discharged certain Plaintiffs; (vi) breached contracts with Plaintiffs; (vii) breached their fiduciary duties to Plaintiffs, including the Duty of Fair Representation; (viii) aided & abetted others in the breach of contract or breach of fiduciary duties or negligent acts against Plaintiffs; (ix) failed to properly supervise its/their employees, agents, consultants and others who caused damages to Plaintiffs; (x) conspired to defraud, interfere with claims and rights and/or cause other damages to Plaintiffs; (xi) caused Plaintiffs to be falsely confined and (xii) for Injunctive Relief. These wrongful acts violated, and the injunctive relief is necessary to address, the violations of Plaintiffs' constitutional, statutory and contractual rights.

coerced to accept onerous or unfair deals; (iv) teacher who suffer loss of property, loss of pay and other monetary losses; (v) DOE staff who suffer physical or emotional injuries from being forced into Rubber Rooms; (vi) DOE staff who cannot get other jobs; (vii) DOE staff who are otherwise being targeted and victimized as part of the wrongful course of action.

Defendants

9) Defendant Michael G. Bloomberg ("Bloomberg") is the Mayor of New York City and in that capacity has direct control over the New York City Public Schools.

10) Defendant City of New York ("City") is a municipal corporation that is responsible for the conditions in the New York City Public Schools.

11) Defendant Joel Klein ("Klein") is the Chancellor of the New York City Department of Education and together with Bloomberg has control over the New York City Public Schools.

12) Defendant New York City Department of Education ("DOE") is Plaintiffs' employer.

13) Defendant Randi Weingarten ("Weingarten") is the President of the United Federation of Teachers.

14) Defendant United Federation of Teachers ("UFT") is the bargaining agent for and maintains a fiduciary relationship with Plaintiffs.

15) Defendant Betsy Combier ("Combier") is a representative of Defendant UFT.

GENERAL FACTS

16) Starting in or about 2002, Defendants Bloomberg, City, Klein and DOE determined and agreed that it would be in the best interests of the City public schools, including all students and educators involved for the office of the Mayor of New York City to assume